



PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

10/677,399

Filing Date

October 1, 2003

First Named Inventor

David V. Smith

Art Unit

3643

Examiner Name

Swiatek, Robert P.

Attorney Docket Number

HM-87423

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐Power of Attorney, Revocation  
Change of Correspondence Address☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☐Other Enclosure(s) (please identify  
below):Amendment "B" in Response to 12/17/04  
Office Action; Return receipt postcard**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Nordman, Cormany, Hair &amp; Compton

Signature

Printed name

Jeffrey F. Craft

Date

February 23, 2005

Reg. No.

30,044

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Tawny Bryant-Schreck

Date

02/23/2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No:	10/677,399	)	
		)	
Applicant:	David V. Smith	)	Robert P. Swiatek
		)	Patent Examiner
Filed:	October 1, 2003	)	Art Unit 3643
		)	
Title:	ELECTRIC FISH BARRIER	)	
	FOR WATER INTAKES AT	)	
	VARYING DEPTHS	)	
		)	
Atty Dkt No.:	HM-87423	)	

**AMENDMENT "B" IN RESPONSE TO**  
**DECEMBER 17, 2004 OFFICE ACTION**

Mail Stop - NON-FEE AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 17, 2004, please consider the following amendments and remarks.

<b>Amendments to the Claims:</b>	Begin on page 2 of this paper.
<b>Remarks:</b>	Begin on page 7 of this paper.